

and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title, or of any other provision, or of any other provision of law, relating to the number, classification, and General Schedule rates) of an Executive Director, and of such additional staff as the Chairperson deems advisable to assist the Commission, at rates not to exceed a rate equal to the maximum rate for level IV of the Executive Schedule under section 5332 of such title.

SEC. 06. EXPENSES OF COMMISSION.

There are authorized to be appropriated to pay any expenses of the Commission such sums as may be necessary not to exceed \$1,000,000. Any sums appropriated for such purposes are authorized to remain available until expended, or until 1 year after the termination of the Commission pursuant to section 07, whichever occurs first.

SEC. 07. TERMINATION OF COMMISSION.

The Commission shall cease to exist on the date that is 60 days after the date on which the Commission is required to submit its final report in accordance with section 04(c).

DURBIN (AND OTHERS) AMENDMENT NO. 1085

Mr. DURBIN (for himself, Mr. LEVIN, Mrs. MURRAY, Mr. JOHNSON, and Mr. BREAUX) proposed an amendment to the bill, S. 1061, *supra*; as follows:

On page 49, after line 26, add the following:

SEC. . (a) STUDY.—Not later than 30 days after the date of enactment of this Act, the Secretary of Health and Human Services, in consultation with the General Accounting Office, shall conduct a comprehensive study concerning efforts to improve organ and tissue procurement at hospitals. Under such study, the Secretary shall survey at least 5 percent of the hospitals who have entered into agreements with an organ procurement organization required under the Public Health Service Act and the hospitals' designated organ procurement organizations to examine—

(1) the differences in protocols for the identification of potential organ and tissue donors;

(2) whether each hospital, and the designated organ procurement organization of the hospital, have a system in place for such identification of donors; and

(3) protocols for outreach to the relatives of potential organ or tissue donors.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services shall prepare and submit to the appropriate committees of Congress a report concerning the study conducted under subsection (a), that shall include recommendations on hospital best practices—

(1) that result in the most efficient and comprehensive identification of organ and tissue donors; and

(2) for communicating with the relatives of potential organ and tissue donors.

LEVIN (AND OTHERS) AMENDMENT NO. 1086

Mr. DURBIN (for Mr. LEVIN, for himself, Mr. THURMOND, Mr. DURBIN, and Mr. INOUE) proposed an amendment to the bill, S. 1061, *supra*; as follows:

At the appropriate place, insert the following:

SEC. . (a) FINDINGS.—Congress finds that—

(1) over 53,000 Americans are currently awaiting organ transplants;

(2) in 1996, 3,916 people on the transplant waiting list died because no organs became available for such people;

(3) the number of organ donors has grown slowly over the past several years, even though there is significant unrealized donor potential;

(4) a Gallup survey indicated that 85 percent of the American public supports organ donation, and 69 percent describe themselves as likely to donate their organs upon death;

(5) most potential donors are cared for in hospitals with greater than 350 beds, trauma services, and medical school affiliations;

(6) a recent Harvard study showed that hospitals frequently fail to offer donation services to the families of medically eligible potential organ donors;

(7) staff and administration in large hospitals often are not aware of the current level of donor potential in their institution or the current level of donation effectiveness of the institution;

(8) under titles XVIII and XIX of the Social Security Act (42 U.S.C. 1395 et seq; 1396 et seq.), hospitals that participate in the medicare or medicaid program are required to have in place policies to offer eligible families the option of organ and tissue donation; and

(9) many hospitals have not yet incorporated systematic protocols for offering donation to eligible families in a skilled and sensitive way.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that hospitals that have organ or tissue donor potential take prompt steps to ensure that a skilled and sensitive request for organ or tissue donation is provided to eligible families by—

(1) working with the designated organ procurement organization or other suitable agency to assess donor potential and performance in their institutions;

(2) establishing protocols for organ donation that incorporate best-demonstrated practices;

(3) providing education to hospital staff to ensure adequate skills related to organ and tissue donation;

(4) establishing teams of skilled hospital staff to respond to potential organ donor situations, ensure optimal communication with the patient's surviving family, and achieve smooth coordination of activities with the designated organ procurement organization; and

(5) monitoring organ donation effectiveness through quality assurance mechanisms.

ADDITIONAL STATEMENTS

TRIBUTE TO COMDR. SEAN FOGARTY

• Mr. KEMPTHORNE. Mr. President, I rise today to recognize and say farewell to an outstanding naval officer, Comdr. Sean Fogarty, who has served with distinction for the past 24 years in naval service. It is a privilege for me to recognize his many outstanding achievements and to commend him for the superb service he has provided this legislative body, the Navy, and our great Nation.

A native of Idaho Falls, ID, and a 1977 graduate of the U.S. Naval Academy, Commander Fogarty comes from a patriotic family who has contributed immeasurably to our Nation's defense. His father was a career submariner and also a U.S. Naval Academy graduate.

Commander Fogarty's service at sea includes a division officer tour aboard U.S.S. *Harold E. Holt* FF-1074, depart-

ment head tours as Operations Officer aboard U.S.S. *John Young* DD-973 and U.S.S. *Callaghan* DD-994, and an executive officer tour aboard U.S.S. *Downes* FF-070.

Commander Fogarty's duties ashore included scheduler for the commander in chief, U.S. Pacific Fleet, exercises and plans officer for the commander, U.S. Sixth Fleet, and the Office of Legislative Affairs.

As Assistant Director of the Navy's Senate Liaison Office for the last 5 years, Commander Fogarty has provided timely support and accurate information on Navy plans and programs. Working closely with the U.S. Senate, he has helped maintain the best trained, best equipped, and best prepared Navy in the world. His consummate leadership, integrity, and tireless energy serve as an example for us all.

Mr. President, Sean Fogarty, his wife, Anita, and daughters, Larissa, Colleen, and Megan have made many sacrifices during his 24-year naval career. They have made significant contributions to the outstanding naval forces upon which our country relies so heavily. During his illustrious career, Commander Fogarty has been the recipient of many awards and commendations including the Legion of Merit. He is a great credit to both the Navy and the country he so proudly serves. As he now retires from the naval service, I call upon my colleagues from both sides of the aisle to wish him fair winds and following seas.●

CHARLES A. HORSKY

• Mr. MOYNIHAN. Mr. President, Mr. Charles Horsky, former adviser to Presidents Kennedy and Johnson on the District of Columbia, passed away during the August recess. I rise today to pay honor to this man who devoted himself to improving our Nation's Capital.

Charlie Horsky was the "Mayor of Washington." And yet, he looked forward to giving that up and getting home rule for the city of Washington. He accomplished a great deal toward that end. Mr. Horsky was instrumental in redeveloping Pennsylvania Avenue, in promoting the construction of a metropolitan subway system, and he played a crucial role in establishing the initial home rule for the citizens of Washington.

Further, he led the establishment of the National Building Museum, the John F. Kennedy Center of the Performing Arts, the University of the District of Columbia, and urged the preservation of Union Station.

I first arrived in Washington over three decades ago. Since those initial days, I was most fortunate to have known and worked with Charlie Horsky. He was as fine a gentleman as we have seen in our Capital, and his tireless efforts are reflected in so many rejuvenated aspects of the city around us. When thinking of this great man we do well to recall the epitaph of Sir